

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

James Jefferson,

Bankruptcy Case No.: 10-80996

Social Security No. xxx-xx-1627

Mailing Address: 110 Deep Forest Drive, , Durham, NC 27713-

Debtor.

James Jefferson,

Plaintiff, A.P. No.: 10-9083

American General Finance,

CONSENT JUDGMENT

UPON the consent of the parties, as indicated by the signatures of their respective attorneys below, the Court hereby finds as follows:

1. The Deed of Trust held by American General Finance, recorded with the Durham County Register of Deeds recorded on July 18, 2008, in Book 6015 at Page 388, is valid. The Deed of Trust is and has been since the date of its original recording, a valid lien against the property located at 110 Deep Forest Drive, Durham, North Carolina, 27713, with parcel identification number 146669, and further described as follows:

All that certain lot or parcel of land situated in the city of Durham, Durham County, North Carolina and more particularly described as follows: lying on the eastern side of Deep Forest Drive, containing 10,892 square feet, more or less, and being all of lot 33 of Forestwood IV as per plat and survey thereof now on file in plat book 137 at page 71 in the office of the register of deeds in Durham County to which plat reference is hereby made for a more particular description of same.

2. The account balance is to American General Finance, as of November 2, 2010, was \$19,965.43
3. Pursuant to the original note and Deed of Trust the Interest rate was 12.30%, there was an original term of 180 months with payments of \$243.00.
4. As of November 2, 2010, American General Finance had \$1,177.42 in accrued interest and total payments due of \$1,706.90.
5. In the interest of resolving the issues raise in the Plaintiff's Complaint, but without admission of the validity of such issues, American General Finance has agreed to modify the Plaintiff's mortgage as follows:
 - a. Interest Rate: 5.25%;
 - b. Remaining Term: 144 months;
 - c. Payments of \$187.17 per month;
 - d. \$1,177.42 accrued interest to be included as arrearage in the plan.

6. The terms of this modification shall replace those in the Proof of Claim filed by American General Finance.
7. The parties shall bear their own costs regarding this action.
8. The Durham County Register of Deeds is hereby directed to record and index this Judgment in the name of James Jefferson and American General Finance, under both the grantor and grantee indexes.
9. This Adversary Proceeding is dismissed with prejudice.

WE CONSENT:

/s Edward C. Boltz

Edward C. Boltz

North Carolina State Bar Number: 23003

Attorney for Plaintiff

Law Offices of John T. Orcutt, P.C.

1738-D Hillandale Rd.

Durham NC 27705

/s Kristin Ogburn

Kristin Ogburn

North Carolina State Bar Number: 20506

Attorney for Defendant

Horack, Talley, Pharr & Lowndes

301 South College St. Ste 2600

Charlotte, NC 28202-6038

NO OBJECTION:

/s Richard M. Hutson, II

Richard M. Hutson, II

Chapter 13 Trustee

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American General Finance,

SERVICE LIST FOR CONSENT JUDGMENT

Richard M. Hutson, II
Chapter 13 Trustee
Post Office Box 3613
Durham, N C 27702

American General Finance
Attn: Managing Agent
5018 University Drive
Suite J
Durham, NC 27705-2548

U.S. Bankruptcy Administrator
Post Office Box 1828
Greensboro, N.C. 27401

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110 Deep Forest Drive
Durham, NC 27713-

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